

ORDINANCE No. 207

BUILDING CODE OF
City and County of Honolulu

April 7, 1922

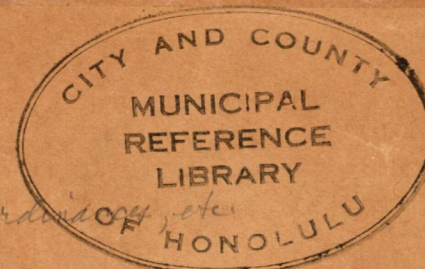
Repealing Ordinance
No. 175

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For Reference

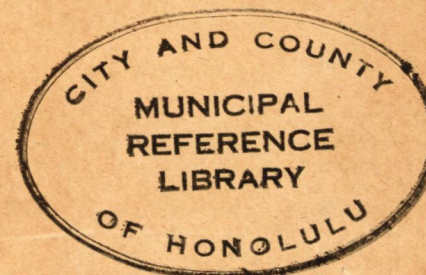
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ORDINANCE No. 207

AN ORDINANCE REGULATING THE CONSTRUCTION OF BUILDINGS AND ESTABLISHING FIRE, INDUSTRIAL, BUSINESS, RESTRICTED USE, HOTEL AND APARTMENT HOUSE AND RESIDENTIAL DISTRICTS IN THE CITY AND COUNTY OF HONOLULU AND REGULATING THE KIND, HEIGHT AND SPACING OF BUILDINGS WITHIN THESE DISTRICTS AND REPEALING ORDINANCE NO. 175.



CITY AND COUNTY OF HONOLULU

BY AUTHORITY

ORDINANCE NO. 207.

AN ORDINANCE REGULATING THE CONSTRUCTION OF BUILDINGS AND ESTABLISHING FIRE, INDUSTRIAL, BUSINESS, RESTRICTED USE, HOTEL AND APARTMENT HOUSE AND RESIDENTIAL DISTRICTS IN THE CITY AND COUNTY OF HONOLULU AND REGULATING THE KIND, HEIGHT AND SPACING OF BUILDINGS WITHIN THESE DISTRICTS AND REPEALING ORDINANCE NO. 175.

BE IT ORDAINED by the people of the City and County of Honolulu:

SECTION 1. DEFINITIONS.

The words and phrases used in this Ordinance shall have the following meaning:

1. "City of Honolulu" or "City" shall designate that portion of the City and County of Honolulu included within the following boundaries: Commencing at a point on Black Point at the foot of Diamond Head where the military boundary cuts the water edge; thence N. 11° 30' E. 4.25 miles; thence N. 66° W. approximately 6.03 miles to the military boundary of Fort Shafter; thence along this boundary to the waterfront, thence along the waterfront to point of beginning.

FIRE DISTRICTS.

2. "Fire District No. 1" shall include that portion of the City within the following boundaries: Commencing at a point on the waterfront where a line 100 feet Waikiki from the Waikiki property line of Punchbowl Street extended and parallel to Punchbowl Street cuts the water's edge; thence mauka and parallel to Punchbowl Street to a point 100 feet mauka of the mauka boundary of Beretania Street; thence Ewa and parallel to Beretania Street to a point 100 feet Ewa of the Ewa property line of River Street; thence parallel to the Ewa boundary of River Street to the waterfront; thence along the waterfront to the point of beginning.

3. "Fire District No. 2" shall include that portion of the City within the following boundaries: Commencing at the most southerly corner of Fire District No. 1 near Punchbowl Street and the waterfront; thence along a line parallel to and 100 feet Waikiki of the Waikiki boundary of Punchbowl Street to a point 100 feet mauka of the mauka boundary of Beretania Street; thence Waikiki and parallel to Beretania Street to a point 100 feet Waikiki of the Waikiki boundary of Alapai Street; thence makai and parallel to Alapai Street to a point 100 feet

Street to a point 100 feet mauka of the mauka property line of Dominis Street; thence along a line parallel to and 100 feet mauka of the mauka line of Dominis Street to a point 100 feet Waikiki of the Waikiki property line of Punahou Street; thence along a line parallel to and 100 feet Waikiki of the Waikiki property line of Punahou Street to a point 100 feet mauka of the mauka property line of Wilder Avenue; thence along a line parallel to and 100 feet mauka of the property line of Wilder Avenue to a point 100 feet Waikiki of the Waikiki property line of Alexander Street extended; thence along a line parallel to and 100 feet Waikiki of Alexander Street to a point 100 feet makai of the makai property line of King Street; and thence along a line parallel to and 100 feet makai of the makai property line of King Street to the point of intersection with Industrial District No. 2, thence mauka along the boundary line of Industrial District No. 2, to the point of beginning.

8. "Alterations" means any change or addition.

9. "Apartment House"—same as tenement.

10. "Approved"—refers to any device, material or construction which has been approved by the Building Inspector as a result of tests or investigations made under his direction, or upon the satisfactory evidence of competent or impartial investigations conducted by others.

11. "Basement"—a story partly or completely below the level of the curb.

12. "Boarding or Lodging House"—a building used for boarding or lodging purposes containing not less than 5 or more than 20 sleeping rooms for guests.

13. "Business District" shall designate that portion of the "Residential District" in which sixty per cent of the owners or lessees of property within a radius of 500 feet are using the same for purposes other than as a "dwelling" or "boarding house".

It shall also include those portions of the "Residential District" set aside as a "Business District" in the manner hereinafter provided.

14. "Church"—For the purpose of this ordinance "church" shall designate any building designed to be used or used as a place of worship by any religious organization or sect.

15. "First Class Building"—is a building constructed of fire-proof materials throughout with floors and roof constructed of steel or reinforced concrete beams, filled between with terra cotta tile, or concrete, or masonry arches, or with concrete or reinforced concrete slabs and otherwise constructed as in the subdivision provided. The outer walls shall be constructed of concrete, brick, stone, tile or similar approved material.

No woodwork or other combustible material shall be used in the construction of any first-class building except wooden floor, sleepers, grounds, bucks and nailing blocks when entirely embedded in incombustible material, also the finish flooring and the interior doors and windows when not

otherwise specified, with their frames, trims and casings, and also interior finish when solidly backed with fire-proof material may be of wood.

Wood wainscotings more than 4 feet high are prohibited.

There shall be no air space between the top of any floor and the floor boarding.

All exposed structural steel shall be fire-proofed with plaster terra cotta or other fire-proofing material approved by the Building Inspector.

Within the Fire and Industrial Districts, first-class buildings shall be provided with fire doors and shutters or wire glass and metal frames on all exterior openings which do not abut a street. Such fire doors and shutters shall be approved.

16. "Second-Class Building"—is a building with walls of masonry brick, concrete, or equivalent approved fire-proof material supporting the adjacent floor loads, with interior floors supported by studded partitions protected by lath and plaster or approved fire-protected columns, or other approved means—with the roof and ceiling construction made fire-resistive by fire-protected steel, or approved fire-protected wood construction and roof covering of fire-resisting material.

Wood or combustible material may be used throughout except as herein noted.

Within the Fire and Industrial Districts second-class buildings having exterior openings which do not face an abutting street, shall be protected with approved shutters or metal frames and wire glass.

17. "Third-Class Buildings" are all those not first or second-class as hereinbefore defined.

18. "Curb." Whenever the word "curb" is used with reference to the height of a building or to the definition of a basement, it shall be construed to mean the established curb grade at the center of the front of the building. In case of a building fronting on two or more streets, the center of the building facing the highest curb shall be taken.

19. "Dwelling." A residence building designed for use as the home of not more than three separate and distinct families. A dwelling within the meaning of this Ordinance shall include necessary outbuildings, servant's quarters, and private garage therefor, and may include a private stable for not more than three animals.

20. "Exterior Wall." Any outside wall of a building other than a party wall.

21. "Factory." A building or portion thereof designed or used to manufacture, assemble goods, wares or merchandise, the work being performed wholly or partly by machinery.

22. "Fire Door." A door frame and sill which will successfully re-

sist fire for one hour in accordance with the test specifications of the National Board of Fire Underwriters Laboratories.

23. "Fireproof" refers to the materials of construction not combustible in the temperatures of ordinary fires, and which will withstand such fires without serious impairment of their usefulness for at least one hour.

24. "Fire-resisting." For the purpose of this Ordinance a five-ply tar and gravel roof over wood sheathing, lath or plaster work, wood work completely covered with sheet metal when approved, wire-glass, or any material of equal or greater fire-resistive properties than these enumerated, if such is approved, shall be considered fire-resisting.

25. "Fire Window." A window frame, sash and glazing which will successfully resist a fire for one hour in accordance with the test specifications of the National Board of Fire Underwriters.

26. "Height of Building"—the vertical distance from the curb level to the highest point of the roof beams in the case of flat roofs, or the average height of gable in case of roofs having a pitch over 20° with the horizontal. In case of dwellings not flush with the street, the height shall be measured from the average height of the corners of the buildings.

In measuring the height of a wall, the height of the parapet shall not be included.

27. "Hotel"—any building or portion thereof designed or used for supplying food or shelter to residents or guests and containing more than 20 sleeping rooms for guests.

28. "Mill Construction." The term "Mill Construction" applies to buildings having exterior walls of masonry with heavy timber interior construction, with no concealed spaces, the openings between floors enclosed with brick and protected with fire doors and otherwise constructed as in this subdivision provided.

The main floor spaces shall not be cut up into small rooms unless the partitions are incombustible.

The floor construction shall be at least 2-ply, at least a total of 3 inches in thickness, and boards placed so that all joints are closed and supported over comparative long spans with heavy beams.

Before a structure shall be classified as "mill construction" it shall be approved.

29. "Office Building." A building which is intended or used for office purposes, no part of which is used for living purposes except by the janitor and his family.

30. "Parapet Wall"—that portion of a wall which extends above the roof line and bears no load except as it may serve to support a tank.

31. "Restricted Use District," when used herein, shall designate that

portion of the Residential District set aside for specified use as provided in Section 15 hereof.

32. "Story." A story is that part of a building between any floor and the floor or roof next above.

33. "Streets"—a public passage, alley, lane or right of way at least 20 feet in width suitable or intended for pedestrians and vehicles.

34. "Structure." Includes the terms buildings, appurtenance, wall, platform, staging, or flooring used for standing or seating purposes, a shed, fence, sign or billboard on public or private property, or on, above or below a public highway.

35. "Tenement House" or "Tenement" shall include apartment house or apartments and shall designate any houses or buildings or portions thereof which are designed, built, rented, leased, let or hired out to be occupied or which is occupied as the home or residence of four or more families living independently of each other and doing their cooking in said building.

36. "Theater." A building containing a room for theatrical or operatic exhibitions or other public entertainments, having a total seating capacity of 300 or more persons.

37. "Wire Glass." Glass not less than 1/4 inch in thickness enclosing a layer of wire fabric reinforcement having a mesh not larger than 7/8 inch and the size of wire not less than 24 Brown & Sharpe gauge.

38. "Waterfront" shall mean the contour of the mean lower low tide.

39. "Owner" or "Owners" as used in this Ordinance shall mean any person, firm, co-partnership or corporation or its or their duly authorized agent or attorney or legal representatives owning the fee or an interest in the fee of real property.

Wherever in Sub-divisions 2, 3, 4 and 5 of this section it is provided that the boundary be 100 or 200 feet from the street, the distance shall be measured in each case so that such property lines shall be back a full 100 or 200 feet, as the case may be, measured on a perpendicular from the street property line.

FIRST-CLASS BUILDINGS IN FIRE DISTRICT NO. 1.

SECTION 2. Within Fire District No. 1 all buildings hereinafter erected shall be "first-class buildings" and subject to the requirements of area, height or any other requirements of this Ordinance.

Provided, however, that this section shall be construed to affect existing buildings when the alterations on such total more than 100% of the assessed value of the structure just prior to the proposed alteration, in which event the owner shall either make the entire building conform to the requirements of this Ordinance or remove the structure or such other procedure as may be required.

Provided further, that when any part of an existing building is taken for public use by condemnation, it shall be lawful to repair the remaining portion of such building with materials similar to those with which the building was originally constructed.

Provided further, that nothing in the foregoing requirements for first and second-class buildings within Fire District No. 1 and Fire District No. 2 shall be construed to affect third-class temporary buildings to be erected in accordance with the following requirements:

1. Permits for such structures shall expire 30 calendar days from the date of issue.

2. Such structures shall be confined to open lots, parks or similar open spaces and shall not be closer than 30 feet to the nearest existing structure.

3. Such structures shall be so constructed and maintained as to reduce the probability of fire to a reasonable minimum and shall be subject to the approval of the Chief Engineer of the Fire Department and the Building Inspector of the City and County of Honolulu, and shall conform to the requirements of structural safety provided for in this or other existing ordinances of the City and County of Honolulu.

CLASS OF BUILDINGS IN FIRE DISTRICT NO. 2.

SECTION 3. Within Fire District No. 2 all buildings hereafter erected shall be either "first" or "second-class buildings" or of "mill construction."

Provided, however, that this section shall be construed to affect existing buildings when the alterations on such total more than 50% of the assessed value of the structure just prior to the proposed alterations, in which event the owner shall make the entire building conform to the requirements of this Ordinance and/or remove the structure or such other procedure as may be required.

CLASS OF BUILDINGS IN OTHER DISTRICTS.

SECTION 4. Within "Industrial Districts Nos. 1 and 2" and the remainder of the City and County of Honolulu, buildings may be "first, second or third-class buildings," but subject, however, to the spacing, area and height or other applicable requirements elsewhere in this Ordinance.

HEIGHT OF BUILDINGS.

SECTION 5. (1). No building or structure hereafter erected, except, church spires, water towers, clock towers, smokestacks or chimneys, shall exceed in height twice the width of the widest street upon which it fronts within Fire District No. 1, or one and one-half times the width of the widest street upon which it fronts in Fire District No. 2 and Industrial Districts Nos. 1 and 2, or once the width of the widest street upon which

it fronts within the remainder of the City of Honolulu, nor shall the height exceed the following limits:

	Stories	Height in feet
Frame buildings used for purposes other than a single dwelling	2	30
Frame dwelling occupied by not more than one family	3	35
Buildings having bearing walls of hollow terra cotta or concrete blocks	4	55
Second-class buildings	4	55
Mill construction	5	65
First-class buildings	6	75

(2). If a single story building exceeds 30 feet in height the roof shall be fire-resisting.

(3). A single-story building not exceeding 30 feet in height may have a monitor not exceeding 10 feet in height.

(4). No story of any building except first-class buildings above the first story shall exceed 15 feet in height.

SECTION 6. AREAS AND DISTANCES OF BUILDINGS. (1). FIRST AND SECOND-CLASS BUILDINGS.

In every first or second-class building, the maximum area of any floor between fire walls or exterior walls either without or with a full equipment of automatic sprinklers, shall be as follows:

"FIRST-CLASS BUILDINGS."

(a) All buildings used for public gatherings or residences, light and power stations, office buildings—No restrictions as to area.

(b) All other buildings—

	Without sprinklers.	With sprinklers.
Fronting on		
One street	10,000 sq. ft.	16,666 sq. ft.
Two streets	12,000 sq. ft.	20,000 sq. ft.
Three streets	15,000 sq. ft.	25,000 sq. ft.

(c) The first floor only of any "first-class building" occupied as a store may have an area of 20,000 square feet, and if protected with an automatic sprinkler system may have 30,000 square feet.

"SECOND-CLASS BUILDINGS."

(a) Tenement Houses 3,000 sq. ft.

(b) All other second-class buildings, height not over 55 feet.

	Without sprinklers.	With sprinklers.
Fronting on		
One street	5,000 sq. ft.	8,333 sq. ft.
Two streets	6,000 sq. ft.	10,000 sq. ft.
Three or more streets	7,500 sq. ft.	12,500 sq. ft.

(c) Mill construction buildings, height limit 65 feet.		
One street	6,500 sq. ft.	13,000 sq. ft.
Two streets	8,000 sq. ft.	16,000 sq. ft.
Three streets	10,000 sq. ft.	20,000 sq. ft.

2. "THIRD-CLASS BUILDINGS" WITHIN "INDUSTRIAL DISTRICTS NOS. 1 AND 2."

Every third-class building within Industrial Districts Nos. 1 and 2 shall be built in accordance with the following table:

ONE STORY NOT TO EXCEED 30 FEET IN HEIGHT.

Distance to nearest interior lot boundary in feet	Distance to nearest building in feet	Fronting on one street sq. ft.	Fronting on two streets sq. ft.	Fronting on three or more streets sq. ft.
5	10	800	900	1,000
8	15	1,000	1,500	2,000
10	20	1,500	2,000	2,500
13	25	2,500	3,000	4,000
20	40	4,500	5,000	6,000

(a) In the foregoing table, the minimum distances and areas are given, and whichever distance from either lot or boundary or the nearest building gives the lesser corresponding area, that distance shall govern.

(b) No "third-class building" within Industrial Districts Nos. 1 and 2 shall be closer than 5 feet to any interior lot boundary, or within ten feet of any other building, nor shall it exceed 6500 square feet in area as provided in paragraph (e).

(c) Any "third-class building" may be built on any street property line provided the allowable area does not exceed the requirements of paragraph (a) of this section for distance from the nearest buildings.

(d) Any "third-class building" within the industrial district may be increased 66% in area if equipped with approved automatic sprinkler systems.

(e) "Third-class buildings" within the industrial districts may be constructed adjacent to each other provided the sections are separated with a parapet wall extending 3 feet above the roof and 6 inches on the sides with all openings protected with approved fire doors, and provided further that the floor area of any section shall not exceed 2300 square feet nor shall any part of the structure be nearer than 15 feet to any interior lot boundary, nor shall it be over one story, or 30 feet in height, nor shall such adjacent structure be used as a tenement, apartment, or dwelling or living quarters.

3. THIRD-CLASS BUILDINGS OUTSIDE THE FIRE AND INDUSTRIAL DISTRICTS.

(a) Outside the fire and industrial districts the areas of the "third-class buildings" and distances of said buildings from interior lot boundaries shall be as follows:

ONE STORY NOT OVER 30 FEET IN HEIGHT.

Distance to nearest interior lot boundary in feet	Distance to nearest building in feet	Fronting on one street sq. ft.	Fronting on two streets sq. ft.	Fronting on three streets sq. ft.
5	10	1,000	2,000	3,500
10	15	2,000	3,500	6,000
15	20	3,500	6,000	8,000
20	25	6,000	8,000	10,000

MORE THAN ONE STORY IN HEIGHT.

10	15	1,000	2,000	3,500
15	20	2,000	3,500	6,000
20	25	3,500	6,000	10,000
25	30	6,000	10,000	10,000
30	35	10,000	10,000	

(b) No third-class building in the City of Honolulu and outside the fire and industrial districts shall exceed 10,000 square feet in area nor shall the same be nearer any interior lot boundary than the minimum distances in the preceding tables, except that garages and servants' quarters not exceeding 800 square feet or one story in height may be placed on the rear lot boundaries if such is approved.

4. BUILDINGS ON INTERIOR LOTS.

(a) No building which does not face a street for a distance of one complete dimension of the building shall be constructed in excess of the following table of allowable heights and areas;

DISTRICT	Second-Class Bldgs.		Third-Class Bldgs.	
	Max. Height	Max. Area sq. ft.	Max. Height	Max. Area
Fire District No. 1			No restrictions.	
Fire District No. 22 story		5,000 sq. ft.	Not permitted	
Industrial Districts Nos. 1 and 22 story		5,000 sq. ft.	1 story or 30 ft.	1,500 sq. ft.
Remainder of the City of Honolulu2 story		5,000 sq. ft.	1 story or 30 ft.	1,500 sq. ft.

Buildings shall be considered to face a street if no structure other than a fence not over 8 feet high exists between such building and the street.

(b) No "third-class building" shall be constructed on an interior lot over one story or 30 feet in height.

(c) In the case of a deep lot which allows the construction of several buildings, but abuts a street, all portions of the lot beyond a line 75 feet back from the street property line and which does not have a direct fronting on the street, shall for the purpose of this Ordinance be

considered as an interior lot, and all buildings erected thereon shall comply with the requirements for an interior lot.

(d) Every building on an interior lot shall provide a minimum passage of five feet for the occupants of such building or buildings thereon and an additional one inch width for each person over ten persons who occupy or for whom accommodations are provided by such building or buildings.

SECTION 7. BUILDINGS PARTLY IN DIFFERENT DISTRICTS

In this Ordinance whenever a structure or building is partly within a district, all parts of the building or structure shall conform to the requirements of the more stringently regulated district.

SECTION 8. SHEDS AND BUILDINGS WITHOUT WALLS.

Within any district garage sheds consisting of metal roofing and supports will be permitted—one story or 20 feet in height, the sides of which are open and the interior exposed.

Within the Industrial Districts and Fire District No. 2, steel mill buildings without walls for ten feet above the ground may be constructed—one story or 40 feet in height for use as machine shops, foundries or other similar use.

SECTION 9. MEASUREMENTS OR DISTANCES.

The distance between buildings, or the distance to the lot lines shall be taken to mean the minimum distance measured horizontally from any portion of the building projected vertically giving the minimum measurement. Eaves and cornices to the extent of 2 feet 6 inches are exempt. Metal or fire-proof ladders or stairs are exempt. Steps and stairs may be exempt if their location is such as not to defeat the purpose of this section, and such construction has the approval of the Building Inspector.

SECTION 10. PERMISSIBLE LOT OCCUPIED IN ALL DISTRICTS.

1. Except as hereinbefore provided, all buildings except theaters, special industry buildings and tenement houses shall have uncovered spaces for providing light and air. These spaces shall be open to the sky from the top of the second-story window sill and shall be in accordance with the following provisions:

(1) Rooming houses, club houses, hotel and lodging houses or lots other than corner lots:
20% of total lot area.

(2) Buildings as enumerated in provisions 1 on corner lots:
15% of total lot area.

(3) All buildings not enumerated in provisions 1 and 2 on lots other than corner lots:
10% of total lot area.

(4) All buildings not enumerated in provisions 1 and 2 on corner lots not exceeding 2500 square feet in area:
5% of total lot area.

(5) When buildings are on corner lots more than 2500 square feet in area, that portion of the building upon the excess lot area over and above 2500 square feet shall be provided with open spaces in accordance with the requirements of provisions 1, 2, or 3, as the case may be, of this section.

(6) Every building (other than buildings enumerated in paragraph 2) which occupies lots fronting on three (3) or more streets may occupy the entire lot area.

(7) The total area of the uncovered spaces of all buildings which are more than 75 feet in width and occupy the entire block front facing upon three or more streets may be less by 25% than required by provisions 3, 4, 5 and 6 of this section.

(8) There shall be a clear space not less than 5 feet in width at and above the second-story window sills between the rear line of every building and rear lot except corner lots. This shall not apply to buildings which extend through from one street to another.

(9) In every court or yard the minimum width between walls shall be 5 feet.

(10) Additions to existing buildings may be considered as only one complete unit for space requirements.

SECTION 11. ROOFS.

Within the Fire and Industrial Districts the use of wooden shingles or other similar forms of combustible roof covering is prohibited.

SECTION 12. FENCES.

No fence of combustible material shall be constructed within Fire Districts No. 1 or No. 2 or shall be used as a wall of any building or roofed over and in conjunction with other fences or walls as the wall of any building, unless such fence shall be constructed in the same manner as walls in Class 1 and Class 2 buildings, and provided further that no fence shall be erected between dwellings within residential districts as hereinbefore defined, or on any interior lot boundary exceeding 6 feet in height.

SECTION 13. OTHER ORDINANCES APPLICABLE.

In addition to the requirements of this Ordinance, all buildings within the City of Honolulu shall conform to the requirements of construction, allowable loads, sanitation, area, height or any other applicable requirement of other Ordinances of the City and County of Honolulu.

SECTION 14. TENEMENTS.

No wooden tenement or apartment house two stories in height, shall have less than two independent stairways, neither one of which shall be less than 30 inches wide, leading to the ground floor. These stairways shall be at least a total of 60 inches wide with an additional two inches for each family over four families occupying the second or upper floors of such tenement or apartment house. The stairways shall be so located that no matter in what room fire might occur, the remaining rooms shall have free access to one of the stairways.

SECTION 15. BUILDINGS IN RESIDENTIAL, BUSINESS AND RESTRICTED USE DISTRICTS.

(a) No building, except a publicly owned building, designed to be used or intended to be used for any purpose except as a dwelling, boarding house or church shall be erected within the "residential district" except as in this section provided.

No building now used for a "dwelling" or "boarding house" or "church" shall hereafter be used any differently except as in this section provided.

(b) Hotels and apartments may be erected within the "hotel and apartment districts."

(c) Buildings may be used or erected to be used for any purpose within the "business district."

(d) Buildings may be used or erected to be used for the use named as hereinafter provided within the "restricted use district."

(e) Drawings of buildings to be erected or altered to provide a change in use of the "Residential District" shall be furnished to the Building Inspector together with sufficient data to show whether the applicant is entitled to a building permit under the terms of this ordinance.

SECTION 16. SETTING APART BUSINESS DISTRICTS.

The owner of at least sixty per cent of the property within such area may petition the Board of Supervisors to set apart any area containing not less than 500,000 square feet and not less than one block within the "residential district" as a "business district" which petition shall be filed with the Clerk of the City and County of Honolulu. Such petition shall be referred to the Building Inspector by the said Clerk. The Building Inspector shall forthwith check the same and verify its contents and return the same with a written report of his findings to the Board of Supervisors. If said petition is found to be correct, the Board of Supervisors shall thereupon hold a public hearing thereon and if the necessity warrants, may, by ordinance, adopted in the manner provided by law, set aside the area described in said petition as a "business district" and thereafter such area shall be included in the term "business district" as used in this ordinance.

In a similar manner a "restricted use district" may be set aside in the "residential district." In the petition shall be stated the use for which buildings may be erected and the ordinance setting aside such district shall similarly specify the use and only such use in addition to use for dwellings, boarding houses or churches, shall be permitted in said "restricted use districts."

SECTION 17. NO BUILDING PERMIT. The Building Inspector shall not issue any building permit for any building to be erected in violation of the terms and provisions of this Ordinance, and any building permit issued contrary to the terms of this Ordinance, shall be void.

SECTION 18. PENALTY. Any person violating the provisions of this Ordinance shall upon conviction be punished by imprisonment for not more than one (1) year, or by a fine of not more than ONE THOUSAND (\$1,000.00) DOLLARS or by both such fine and imprisonment.

SECTION 19. CONSTITUTIONALITY. If any section, subdivision, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, illegal or unconstitutional, such holdings shall not effect the validity of the remaining portions of this ordinance.

SECTION 20. ORDINANCE REPEALED. Ordinance No. 175 is hereby repealed.

SECTION 21. EFFECTIVE DATE. This Ordinance shall take effect from and after the date of its approval.

Introduced by—

(S.) M. C. PACHECO,
Supervisor.

Honolulu, Hawaii,
November 15th, A. D. 1921.

Approved this 7th day of April, A. D. 1922.

(S.) JOHN H. WILSON,
Mayor, City and County of Honolulu.

